

FIFTH ANNUAL REPORT
OF THE
TRUSTEES
OF
PUBLIC RESERVATIONS

1895



PRINTED FOR THE TRUSTEES BY
GEO. H. ELLIS, 141 FRANKLIN STREET, BOSTON, MASS.

1896

Societies and individuals interested in Massachusetts history, natural history, scenery, and town and country improvement, are invited to contribute to the working funds of this Board. The annual reports can be promised only to Founders, Life Associates, and Contributors. (See By-laws, Article II.) The Treasurer is George Wigglesworth, 89 State Street, Boston. The Secretary is John Woodbury, 114 Ames Building, Boston, Mass.



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OFFICERS OF THE CORPORATION,
1896.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

GEORGE SHELDON, Deerfield.

Standing Committee.

CHARLES ELIOT, Brookline.

PHILIP A. CHASE, Lynn.

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

NATHANIEL T. KIDDER, Milton.

GEORGE WIGGLESWORTH, Boston.

JOHN WOODBURY, Lynn.

Treasurer.

GEORGE WIGGLESWORTH, 89 State St., Boston.

Secretary.

JOHN WOODBURY, 114 Ames Building, Boston.

OFFICERS AND MEMBERS OF THE CORPORATION,
1895.

President.

HON. GEORGE F. HOAR, Worcester.

Vice-President.

*HON. WILLIAM S. SHURTLEFF, Springfield.

Standing Committee.

CHARLES ELIOT, Brookline, *Chairman.*

PHILIP A. CHASE, Lynn.

CHARLES S. SARGENT, Brookline.

HENRY P. WALCOTT, Cambridge.

NATHANIEL T. KIDDER, Milton.

GEORGE WIGGLESWORTH, 89 State St., Boston, *Treasurer.*

JOHN WOODBURY, Boston, *Secretary.*

FRANCIS H. APPLETON, Lynnfield.

FRANKLIN CARTER, Williamstown.

GEORGE W. CHASE, North Adams.

*WILLIAM L. CHASE, Brookline.

CHRISTOPHER CLARKE, Northampton.

CHARLES R. CODMAN, Cotuit.

ELISHA S. CONVERSE, Malden.

DELORAINÉ P. COREY, Malden.

CHARLES H. DALTON, Boston.

WILLIAM C. ENDICOTT, Salem.

GEORGE A. FARLOW, Boston.

DESMOND FITZGERALD, Brookline.

J. D. W. FRENCH, North Andover.

E. B. GILLETT, Westfield.

* Deceased.

J. EVARTS GREENE, Worcester.
 JAMES S. GRINNELL, Greenfield.
 AUGUSTUS HEMENWAY, Canton.
 HENRY M. LOVERING, Taunton.
 GEORGE C. MANN, Jamaica Plain.
 HENRY L. PARKER, Worcester.
 CHARLES S. RACKEMANN, Milton.
 JOHN ROBINSON, Salem.
 JOHN J. RUSSELL, Plymouth.
 *LEVERETT SALTONSTALL, Newton.
 NATHANIEL S. SHALER, Tisbury.
 HENRY R. SHAW, Boston.
 GEORGE SHELDON, Deerfield.
 DANIEL D. SLADE, Newton.
 JOSEPH TUCKER, Pittsfield.
 GEORGE H. TUCKER, Pittsfield.
 FRANCIS A. WALKER, Boston.
 WILLIAM WHITING, Holyoke.
 MOSES WILLIAMS, Brookline.

FOUNDERS.

Miss ELLEN CHASE, Brookline. *Mrs. FANNY FOSTER TUDOR, Boston.
 JOSEPH STORY FAY, Falmouth.

LIFE ASSOCIATES.

Francis Brooks, Boston.	Miss M. C. Jackson, Boston.
Mrs. Francis Brooks, Boston.	N. T. Kidder, Milton.
Henry Brooks, West Medford.	W. C. Loring, Boston.
Peter C. Brooks, Boston.	Mrs. John C. Phillips, Boston.
Shepherd Brooks, Boston.	Charles S. Sargent, Brookline.
George A. Farlow, Boston.	John E. Thayer, South Lancaster.
John M. Forbes, Milton.	William Whiting, Holyoke.
H. H. Hunnewell, Boston.	George Wigglesworth, Boston.

AN ACT TO ESTABLISH THE TRUSTEES OF PUBLIC RESERVATIONS, CHAPTER 352, ACTS OF 1891.

SECTION 1. Frederick L. Ames, Philip A. Chase, Christopher Clarke, Charles R. Codman, Elisha S. Converse, George F. Hoar, John J. Russell, Leverett Saltonstall, Charles S. Sargent, Nathaniel S. Shaler, George Sheldon, William S. Shurtleff, George H. Tucker, Francis A. Walker, George Wigglesworth, their associates and successors, are hereby made a corporation by the name of The Trustees of Public Reservations, for the purpose of acquiring, holding, arranging, maintaining, and opening to the public, under suitable regulations, beautiful and historical places and tracts of land within this Commonwealth, with the powers and privileges and subject to the duties set forth in chapter one hundred and fifteen of the Public Statutes and in such other general laws as now are or hereafter may be in force relating to such corporations; but said corporation shall have no capital stock.

SECT. 2. Said corporation may acquire and hold by grant, gift, devise, purchase, or otherwise real estate such as it may deem worthy of preservation for the enjoyment of the public, but not exceeding one million dollars in value, and such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, but not exceeding in the aggregate the further sum of one million dollars.

SECT. 3. All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable, and scientific institutions incorporated within this Commonwealth is now exempt by law; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

SECT. 4. This act shall take effect upon its passage.

BY-LAWS OF THE TRUSTEES OF PUBLIC RESERVATIONS.

ARTICLE I.

OF MEMBERS.

The members of the corporation shall be residents of Massachusetts, and their number shall not exceed fifty.

The Standing Committee may, if it sees fit, nominate persons to membership by inserting the names of candidates upon the notice or warning of any meeting. The election shall take place at any meeting subsequent to such notice, and shall be by ballot upon the names proposed by the Standing Committee; and any person who receives the votes of two-thirds of the members present and voting shall, on his acceptance in writing of his election, be declared and enrolled a member of the corporation. Membership may be terminated by resignation, and shall be terminated by failure for three successive years to attend the annual meeting; but in the latter case the Standing Committee may by vote suspend the operation of this rule when it sees best.

ARTICLE II.

OF FOUNDERS, LIFE ASSOCIATES, AND CONTRIBUTORS.

All persons from whom the corporation shall receive real or personal property to the value of one thousand dollars or more shall be permanently enrolled as Founders.

All persons not entitled to be enrolled as Founders, from whom the corporation shall receive real or personal property to the value of one hundred dollars or more, shall be enrolled during life as Life Associates.

All persons, societies, or corporations not entitled to be enrolled as Founders or Life Associates, from whom the corporation

shall receive one or more dollars, shall be enrolled as contributors for the year in which payment of such sum is made.

ARTICLE III.

OF MEETINGS.

1. The annual meeting of the corporation shall be held on the last Wednesday in January in Boston or at such other city or town in the Commonwealth, and at such time and place, as the Standing Committee may determine. A quorum for the transaction of business shall consist of not less than seven members, but a majority of the members present and voting may adjourn any meeting from time to time until the business shall have been finished.

In the event of the annual meeting, by mistake or otherwise, not being called and held as herein prescribed, the Standing Committee shall order a special meeting to be called and held in lieu of and for the purposes of the annual meeting.

Special meetings of the corporation may be called by the Standing Committee to meet at any time and place. A quorum at a special meeting shall consist of not less than seven members.

2. At all meetings the President shall take the chair as soon as a quorum is present; and the record of the preceding meeting shall then be read, unless such reading is dispensed with by the unanimous consent of those present. After which at all special meetings the business for which the meeting was called shall be transacted, and at the annual meeting the order of business shall be as follows:—

First.—The unfinished business and the assignments of the last meeting shall be announced by the Secretary to the President, and taken up in order.

Second.—The Secretary shall be called on to submit a written report of the doings of the Standing Committee for the year ending with the previous 31st of December.

Third.—The Treasurer shall be called upon to submit a written report of his doings for the year ending with the previous 31st of December, and the financial condition of the corporation at that date.

Fourth.—The Committee to audit the Treasurer's accounts shall be called on for a report.

Fifth.—Any special committee which may have been appointed during the year shall be called on to report.

Sixth.—If the Standing Committee shall have proposed changes in the By-laws, the same shall be voted upon, as provided in Article VII.

Seventh.—If the Standing Committee shall have made any nominations to membership in the corporation, an election shall be held as provided in Article I.

Eighth.—An election of officers for the ensuing year shall be held, as provided in Article IV., Section 1.

Ninth.—On the announcement of the vote the newly elected President shall take the chair, and shall give the members present an opportunity to present new business.

Tenth.—The newly elected President shall appoint a committee to audit the Treasurer's accounts.

ARTICLE IV.

OF OFFICERS.

1. The officers of the corporation shall be a President, a Vice-President, a Secretary, and a Treasurer. The Secretary and Treasurer shall be *ex-officiis* members of the Standing Committee, which shall consist of seven persons in all. The officers and the Standing Committee shall be chosen by ballot at the annual meeting of the corporation, an adjournment thereof, or at a meeting in lieu of such annual meeting, as above provided; and they shall hold their offices for one year, or until others are duly chosen and qualified in their stead. Any vacancy occurring in any of the above offices from death, resignation, or inability, shall be filled by the Standing Committee at their next regular meeting or at a special meeting to be called for the purpose before such regular meeting.

2. The President shall preside at all meetings of the corporation. If he is absent, the Vice-President, and, if the Vice-President is also absent, a President *pro tempore*, chosen by hand vote of the members of the corporation present, shall preside, and shall have all the powers and perform all the duties of the President.

3. The Secretary shall warn the members of all meetings of

the corporation, according as he may be directed by votes of the Standing Committee. He shall call the meetings of the Standing Committee as he may be directed by the chairman of the committee or on the request in writing of any two members thereof. He shall carry on all the correspondence of the corporation not otherwise provided for, and shall, when the correspondence is of importance, preserve copies of the letters sent and the original letters received, for transmission with his records to his successor in office. He shall keep an exact record of all meetings of the corporation and of the Standing Committee, with the names of the members present, entering in full all reports of committees which may be accepted by either body, unless otherwise directed.

At the January meeting of the Standing Committee he shall make a written report of the doings of that body for the year ending on the previous 31st of December; and, if the report is approved, he shall present it at the annual meeting of the corporation.

4. The Treasurer shall, when directed, as provided in the next paragraph, make disbursements; and he shall also collect all moneys due to the corporation, and shall keep regular and faithful accounts of all the moneys and funds of the corporation which shall come into his hands and of all receipts and expenditures connected with the same, which accounts shall always be open to the inspection of members of the corporation. He shall make no investments and pay no moneys without either the approval of a majority of the Standing Committee or else of such officer or committee as said Standing Committee shall appoint to act for it in these matters.

At the January meeting of the Standing Committee he shall make a written report of his doings for the year ending on the previous 31st of December; and, if his report is approved, he shall present it at the annual meeting of the corporation.

ARTICLE V.

OF THE STANDING COMMITTEE.

The Standing Committee shall, at its first meeting after the annual meeting of the corporation in each year, elect a chairman,

whose duty it shall be to preside at all meetings of the committee. In his absence a chairman *pro tempore* may be chosen by hand vote.

The Standing Committee shall meet at least once in every month, and a quorum shall consist of not less than three members.

The Standing Committee may nominate or refuse to nominate new members of the corporation, may accept or decline gifts offered to the corporation, may approve or disapprove investments or expenditures proposed by the Treasurer, may approve or disapprove all bills against the corporation, may appoint sub-committees of their number, may appoint and remove agents, may engage whatever assistance is needed to administer the affairs of the corporation, may designate such agents and employees by such titles as they may deem proper, and, in general, may exercise all the executive powers of the corporation.

ARTICLE VI.

OF THE SEAL.

The corporate seal shall be a circular, flat-faced die of about an inch and a half in diameter, with the name of the corporation, the year of its organization, the word "Massachusetts," and the figure of a pine-tree so engraved on its face that it can be embossed on paper by pressure.

ARTICLE VII.

OF AMENDMENTS.

At any annual meeting of the corporation, or at a special meeting called for the purpose, these By-laws may be amended, altered, or repealed by a two-thirds vote of the members present and voting, provided that notice of such proposed change shall have been given in the call of the meeting.

REPORT OF THE STANDING COMMITTEE.

The Standing Committee of the Trustees of Public Reservations submit herewith their Fifth Annual Report.

As has been stated in previous reports, two considerable tracts of land have been transferred by individuals to the Trustees,— Virginia Wood, situated in Stoneham, and Goodwill Park, in Falmouth.

Not long after the gift of Virginia Wood was made, the Metropolitan Park Commission was created by the State for the purpose of developing a metropolitan system of parks and drives in the city and suburbs of Boston. One of the first acts of this Commission was to secure for the Commonwealth of Massachusetts, as a public reservation, the territory known as the Middlesex Fells. This park, three thousand nine hundred acres of forest and lakes, includes within its boundaries Virginia Wood, the beautiful pine grove placed in the hands of the Trustees by Mrs. Fannie Foster Tudor, as a memorial of her daughter. The action of the Park Commission has made the duties of the Trustees much simpler to perform. Virginia Wood now enjoys, through the action of the Park Commission, the same police and fire protection that is accorded to the other portions of the Fells. It has seemed to this Committee, however, that it was desirable that the memorial character of this beautiful spot should be in some way set forth. Arrangements have therefore been made with the Park Commission by which the bounds of Virginia Wood shall be permanently marked by stone monuments. It is also intended that during the coming year a tablet with a suitable inscription shall be affixed to a boulder, on a high knoll in the woods, in such a manner as will not detract from the natural beauty of the grove. A

certain amount of work should also be done every year towards the preservation of the magnificent trees.

In Goodwill Park something has been done towards its improvement during the past year. Contributions for this purpose have been made by the town of Falmouth, and also by the further generosity of the giver, Mr. Joseph Story Fay. The money has been expended under the supervision of a local committee, consisting of Messrs. Joshua C. Robinson, E. Pierson Beebe, and William P. Nye. The entrance from the main road has been marked by posts constructed of bowlders, and a bronze tablet giving the name of the park and the facts connected with the gift will be placed there as soon as it is completed. The grade of the entrance road has been materially improved, and the woods roads are in fairly good condition. A fire belt has been started, and something done towards fire protection. The number of people who visit the grove at the edge of the pond for picnic purposes is so considerable that it will be necessary to make some simple rules governing the use of the reservation.

No further gifts have been made to the Trustees during the past year. Many inquiries have been made as to the powers of the Trustees, and in some cases proffers of land have been made; but the fact that the corporation has no general fund has compelled the Trustees to decline any gift unless accompanied by a sum of money sufficient to defray any expenses for care and maintenance which such gift might entail.

A suggestion has been received from the Massachusetts Highway Commission, a State Board engaged in the construction of permanent roads of the best character throughout the Commonwealth, that in many places it may be desirable to vest in the Trustees of Public Reservations the title to strips of land along the borders of these public highways, in order to add a picturesque value to what is primarily a work of utility. It seems to the Standing Committee that in some cases — as, for instance, where these roads practically adjoin the beds of brooks and rivers or the borders of lakes and ponds — such action would be both desirable and

feasible. The land, being of no value for purposes of building or cultivation, would be freely granted by the owners; and the little care that would be required might be guaranteed by the towns in which it was situated, in return for the benefit received in the improved appearance of the road.

A question that has always interested the Trustees has been the possibility of preventing offensive advertising, whether on buildings or objects of nature, in such manner as to detract from the charm of the landscape. The Standing Committee has therefore expressed its approval of the general purposes of legislation which has been proposed from time to time to prevent this evil, the prevalence of which is by no means confined to this State or country. So far our law-makers have not been able to find a feasible way to prevent the infraction of what may be considered at least good moral law, when the offence is committed on private property with the consent of the owner. No doubt, improvement in this respect, like that in many other lines, must await the growth of a healthy public opinion, which will make a proprietor ashamed of an outrageously decorated barn or fence, as he would be to-day of uncouth clothes and filthy personal appearance. The law has long since recognized that an offence to the sense of smell or hearing may be great enough to make of it a public nuisance, and it is not impossible that with an increasing appreciation of the beautiful in nature the sense of sight may attain its legal right to protection.

On the invitation of gentlemen interested in the preservation of the mountain tops of Holyoke and Mount Tom, in the lovely valley of the Connecticut, many of the Trustees visited Northampton; and a public meeting was held in that city on the evening of May 31. The occasion was made to coincide with an excursion of the Appalachian Mountain Club to the same place. Hon. George F. Hoar, our President, presided; and, in addition to addresses from him and others of the Trustees, a carefully prepared paper was read by our late Vice-President, Judge Shurtleff, on "The Trees, and their Preservation," a subject very near to his heart. It

would be a great satisfaction if it should hereafter appear that this occasion in any degree promoted the preservation of what must be admitted to be some of the loveliest of the scenery of Massachusetts.

Mention has been made in previous reports of the organization in England of the "National Trust for Places of Historic Interest and Natural Beauty." Much interest was felt in the organization, not only on account of the distinguished men and women who founded it, but also because of its similar aims and purposes. Its prospectus contained most kindly and flattering references to the Trustees of Public Reservations of Massachusetts; and our relationship has recently been further emphasized by the request of the English Trust that a member of its Provisional Council be nominated by the Trustees of Public Reservations. In accordance with this request the Standing Committee nominated Prof. Charles S. Sargent, of the Arnold Arboretum, to that office; and this action has been confirmed by the English Board. Such amenities are pleasant, indicating, as they do, the sympathy and good feeling existing between men of a common race, working for the same end with a common and high-minded purpose.

It is evident, as was expressed in a previous report, that the growth of park boards and improvement associations will relieve this corporation of much work that it might otherwise perform. This, however, is a matter not of discouragement, but of encouragement. If the principle abides and grows stronger, that what is beautiful in nature and of real historic interest must be preserved, we are content. Our simple organization is easily maintained. There are many cases likely to arise where it will supply the necessary machinery for receiving and holding gifts which for lack of it might not be made. It can at all times be the vehicle for the expression of an intelligent opinion on the subjects which are akin to its purposes. It has already certain trusts to carry out, and must continue. The measure of its activity, however, will be governed by future circumstances.

The Standing Committee desires, in closing this report, to

express the sorrow of its members for the loss which the Trustees of Public Reservations have sustained in the recent death of the Hon. William S. Shurtleff, Vice-President of the Board. Judge Shurtleff, speaking for the Connecticut Valley, made an enthusiastic address at the public meeting held in Boston, May 24, 1890, when the establishment of a Board of Trustees was first advocated; and he subsequently presided at each successive annual meeting of the Board. Since the creation of the corporation three members have died besides Judge Shurtleff: Frederick L. Ames, in whose private office the earlier meetings of the Board were held; Col. William L. Chase, who as a Metropolitan Park Commissioner assisted in securing for the neighborhood of Boston the several beautiful places now controlled by that Board; and the Hon. Leverett Saltonstall, who made an eloquent address at the preliminary public meeting held in May, 1890.

CHARLES ELIOT,

Chairman.

PHILIP A. CHASE.

CHARLES S. SARGENT.

HENRY P. WALCOTT.

NATHANIEL T. KIDDER.

GEORGE WIGGLESWORTH,

Treasurer.

JOHN WOODBURY,

Secretary.

BOSTON, January 1, 1896.

GEORGE WIGGLESWORTH, *Treasurer*, IN ACCOUNT WITH
THE TRUSTEES OF PUBLIC RESERVATIONS.

From January 1, 1895, to January 1, 1896.

Dr.	GENERAL ACCOUNT.	Cr.	
1895.		1895.	
Jan. 1.		March 22.	
To Balance	\$453.55	By Cash: paid N. L. Stebbins, photographer	\$93.40
Dec. 31.		May 10.	
To Subscriptions during 1895	145.00	By Cash: paid Geo. H. Ellis, printing annual report	85.61
To Interest received from State St. Safe Deposit & Trust Co. to Jan. 1, 1896	16.65	Dec. 31.	
To Expense Account: cash returned by former Secretary	5.20	By Balance	441.39
	<u>\$620.40</u>		<u>\$620.40</u>
1896.			
Jan. 1.	To Balance	\$441.39	

Dr.	AGENT'S ACCOUNT.	Cr.	
1895. Jan. 1. To Balance	<div>\$222.57</div> <div><u>\$222.57</u></div>	1895. Dec. 31. By Balance	<div>\$222.57</div> <div><u>\$222.57</u></div>
1896. Jan. 1. To Balance . .	\$222.57		

Dr.	VIRGINIA WOOD ACCOUNT.	Cr.	
1895.		1895.	
Jan. 1.		Dec. 31.	
To Balance	\$225.15	By Balance	\$305.15
March 29.			
To Cash: coupons Great Northern R.R. 4's . .	40.00		
Sept. 26.			
To cash: coupons Great Northern R.R. 4's . .	40.00		
	<u>\$305.15</u>		<u>\$305.15</u>
1896.			
Jan. 1.	To Balance . . .	\$305.15	

The subscriptions for general purposes have been as follows :

Mary Sophia Walker	\$10.00
Appalachian Mountain Club	25.00
James C. Braman	10.00
Joseph S. Fay	100.00

The undersigned have examined the accounts and vouchers of the Trustees of Public Reservations for the year 1895, and find them correctly cast and properly vouched.

NATHANIEL T. KIDDER,
CHARLES S. RACKEMANN,
CHRISTOPHER CLARKE,
Auditing Committee.

JAN. 29, 1896.





